

ORDINANCE NO. 442

AN ORDINANCE OF THE CITY OF RANCHO PALOS VERDES AMENDING SECTION 17.02.040 OF THE RANCHO PALOS VERDES MUNICIPAL CODE RELATING TO COST RECOVERY FOR VIEW RESTORATION AND VIEW PRESERVATION.

THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES DOES
HEREBY ORDAIN AS FOLLOWS:

Section 1. Section 17.02.040(C)(2) of Chapter 17.02 of Title 17 of the Rancho Palos Verdes Municipal Code is hereby amended by amending paragraph d thereof and adding a new paragraph e thereto to read as follows:

“d. Should the commission make findings requiring issuance of a view restoration permit, the director shall send a notice to the property owner to trim, cull, lace or otherwise cause the foliage to be reduced to sixteen feet or the ridge line of the primary structure, whichever is lower, or such limit above that height which will restore the view. The property owner will have ninety calendar days to have the foliage removed. The applicant shall be responsible for the expense of the foliage removal and/or replacement ordered pursuant to this subsection only to the extent of the lowest bid amount provided by contractors licensed to do such work in the city of Rancho Palos Verdes and selected by the applicant. After the initial trimming, culling, lacing or removal of the foliage, the owner, at the owner's expense, shall be responsible for maintaining the foliage so that the view restoration required by the view restoration permit is maintained.

“e. If, after ninety calendar days, the foliage has not been removed or trimmed in accordance with the requirements of a view restoration or view preservation permit, the City of Rancho Palos Verdes will authorize a bonded tree service to trim, cull, lace or remove the identified foliage at the owner's expense. In the event that the City is required to perform the work, the foliage owner will be billed for all City expenses incurred in enforcing the view restoration or preservation permit (including reasonable attorney's fees). If the property owner does not pay the City for the amount set forth on the invoice, the City may record a lien or assessment against the foliage owner's property, pursuant to Title 8, Chapter 24 of the Rancho Palos Verdes Municipal Code.”

Section 2. The City Council declares that, should any provision, section, paragraph, sentence, or word of this ordinance be rendered or declared invalid by any final action in a court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences and words of this ordinance shall remain in full force and effect.

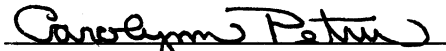
Section 3. The City Clerk shall cause this Ordinance to be posted in three (3) public places in the City within fifteen (15) days after its passage, in accordance with the provisions of Section 36933 of the Government Code. The City Clerk shall further certify to the adoption and posting of this Ordinance, and shall cause this Ordinance and its certification, together with proof of posting, to be entered in the Book of Ordinances of the Council of this City.

Section 4. This Ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the thirty-first (31st) day after its passage.

PASSED, APPROVED and ADOPTED this 5th day of September 2006.


Mayor

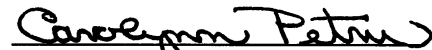
Attest:


City Clerk

State of California)
County of Los Angeles)ss
City of Rancho Palos Verdes)

I, Carolyn Petru, City Clerk of the City of Rancho Palos Verdes, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Ordinance No. 442 passed first reading on August 15, 2006, was duly and regularly adopted by the City Council of said City at a regular meeting thereof held on September 5, 2006, and that the same was passed and adopted by the following roll call vote:

AYES: Clark, Gardiner, Long, and Mayor Wolowicz
NOES: None
ABSENT: Stern
ABSTAIN: None


City Clerk



AFFIDAVIT OF POSTING

That at all times herein mentioned, she was and now is the appointed City Clerk

That on September 7, 2006, she caused to be posted the following document entitled:

City Hall
30940 Hawthorne Blvd.
Rancho Palos Verdes

Ladera Linda Community Center
32201 Forrestal Drive
Rancho Palos Verdes

Hesse Park
29301 Hawthorne Blvd.
Rancho Palos Verdes

Carolynn Petru
City Clerk